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*Local counsel for Northcon, Inc.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, for the use  
and benefit of WELLS CARGO, INC.,

Civil Action No. 2:18-cv-01182-JCM-DJA

**Plaintiff,**

V

**NOTICE OF CORRECTED DOCUMENT  
RE: STIPULATION AND ORDER RE:  
CONTINUANCE OF BENCH TRIAL**

ALPHA ENERGY AND ELECTRIC, INC., a Missouri corporation, and AMERICAN CONTRACTORS INDEMNITY COMPANY, a California corporation,

### Defendants.

---

ALPHA ENERGY AND ELECTRIC, INC., a Missouri Corporation.

### Third-Party Plaintiff,

1 v.

2 NORTHCON, INC., an Idaho Corporation;  
3 SOUTHWESTERN CONSTRUCTION, INC., a  
4 Utah corporation; DOES 1 through 10; and  
ROE corporations 1 through 10,

5 Third-Party Defendants.

6 AND ALL RELATED CASES.

7 In accordance with the minute order dated May 20, 2021 (ECF No. 167), Northcon, Inc.  
8 respectfully files this Notice of Corrected Document to include a corrected Stipulation and  
9 Order Re: Continuance of Bench Trial, which includes in the proposed Order a section with  
10 blank lines for new calendar call and trial dates. (Attached hereto as **Exhibit A**).  
11

12  
13 */s/ Nicholas D. Kovarik* \_\_\_\_\_

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23 *Counsel for Northcon, Inc.*  
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# Exhibit A

Ryan D. Yahne, Pro Hac Vice  
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*Local counsel for Northcon, Inc.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, for the use  
and benefit of WELLS CARGO, INC.,

Civil Action No. 2:18-cv-01182-JCM-DJA

## **STIPULATION AND ORDER RE: CONTINUANCE OF BENCH TRIAL**

Plaintiff,

V.

ALPHA ENERGY AND ELECTRIC, INC., a Missouri corporation, and AMERICAN CONTRACTORS INDEMNITY COMPANY, a California corporation,

#### Defendants.

---

ALPHA ENERGY AND ELECTRIC, INC., a  
Missouri Corporation.

### Third-Party Plaintiff,

1 v.

2 NORTHCON, INC., an Idaho Corporation;  
3 SOUTHWESTERN CONSTRUCTION, INC., a  
4 Utah corporation; DOES 1 through 10; and  
ROE corporations 1 through 10,

5 Third-Party Defendants.

6 AND ALL RELATED CASES.

7

8 **STIPULATION**

9 Alpha Energy and Electric, Inc. (“Alpha”), Northcon, Inc. (“Northcon”), American  
10 Contractors Indemnity Company (“ACIC”), and Southwestern Construction, Inc.  
11 (“Southwestern Construction”) (collectively “Parties”), by and through their respective counsel,  
12 hereby stipulate, agree and request that the Court continue the trial in this matter for a future  
13 date, to be determined, that is mutually agreeable to the Court, counsel, and the Parties.

14 The Parties have submitted and the Court has entered a Joint Pretrial Order, pursuant to  
15 which the Court has set this matter for a bench trial on a stacked calendar on June 21, 2021,  
16 with calendar call to be held on June 16, 2021. (ECF No. 164 at 44). On May 12, 2021, the  
17 Court entered its Minute Order, directing counsel to “*confer immediately with their respective*  
18 *clients and each other about whether this case will be trial-ready for the trial stack and to take*  
19 *appropriate action,*” and to file any “[s]tipulations to continue . . . before noon on Wednesday,  
20 May 26, 2021.” (ECF No. 165). As ordered by the Court, counsel have conferred and, in doing  
21 so, the parties have stipulated and agreed to the continuance set forth herein.

22 This stipulation is made in good faith and is not intended to unduly delay the  
23 proceedings, and good cause exists for the continuance. The Parties’ agreement is made in  
24 consideration of this Court’s trial calendar, and the calendars of the Parties and their counsel,  
25

1 within the context of the current global pandemic, and in furtherance of Federal Rule of Civil  
2 Procedure 1.

3 **IT IS SO STIPULATED.**

4 Dated this 19<sup>th</sup> day of May 2021.

5 **KRIGEL & KRIGEL**

6 */s/ Paul K. Hentzen*  
7 Paul K. Hentzen, Pro Hac Vice  
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8 Kansas City, MO 64111  
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9 Fax: (816) 756-1999  
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Counsel for Alpha Energy and Electric, Inc.

10 Dated this 20<sup>th</sup> day of May 2021

11 **PISKEL YAHNE KOVARIK, PLLC**

12 */s/ Nicholas D. Kovarik*  
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Counsel for Northcon, Inc.

14 Dated this 19<sup>th</sup> day of May 2021

15 **THE FAUX LAW GROUP**

16 */s/ Jordan F. Faux*  
Jordan F. Faux, Nev. Bar # 12205  
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Counsel for American Contractors Indemnity  
Company

17 Dated this 18<sup>th</sup> day of May 2021.

18 **THE MEDRALA LAW FIRM PROF. LLC**

19 */s/ Jakub P. Medrala*  
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Counsel for Alpha Energy and Electric, Inc.

20 Dated this 19<sup>th</sup> day of May 2021

21 **HOLLEY DRIGGS WALCH FINE WRAY  
PUZEY & THOMPSON**

22 */s/ Brian W. Boschee*  
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Counsel for Northcon, Inc.

23 Dated this 18<sup>th</sup> day of May 2021

24 **STRONG & HANNI, P.C.**

25 */s/ Michael D. Stanger*  
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102 South 200 East, Ste. 800  
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Counsel for Southwestern Construction, Inc.

1 Dated this 19<sup>th</sup> day of May 2021

2 **SMITH LARSEN & WIXOM**

3 /s/ Kent Larsen

4 Kent Larsen, Nev. Bar No. 3463

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6 Las Vegas, Nevada 89134

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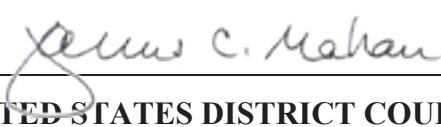
9 Email: kfl@slwlaw.com

10 *Counsel for Southwestern Construction, Inc.*

11 **ORDER**

12 This case is set for a Bench trial on the stacked calendar on March 14, 2022 at 9:00 AM.

13 Calendar call will be held on March 9, 2022 at 1:30 PM.

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16 **UNITED STATES DISTRICT COURT JUDGE**

17 **May 21, 2021**

18 **DATE:** \_\_\_\_\_

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